



Express Mail No.: EV 832910027 US

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Application Number: 10/539,308
Filed: June 16, 2005
Applicants: Lars Winther, Marc Key, Kristopher Buchanan, John Favuzzi, and
Benno Guggenheimer
Title: Apparatus for Automated Processing Biological Samples

TC/A.U: 1743
Examiner: Jyoti Nagpaul
Assignee: Dako Denmark A/S
Attorney Docket: P145 US 01
Customer No. 33549

**SUBMISSION OF INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. 1.97(b)(3)**

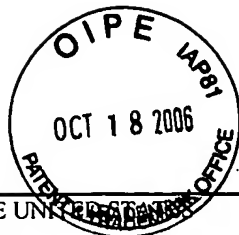
The applicant respectfully requests consideration of the attached Information Disclosure Statement. Pursuant to 37 C.F.R. 1.97(b)(3), no fee is required.

In accordance with 37 C.F.R. §1.97(b)(3), this Information Disclosure Statement is filed before the mailing date of a first office action on the merits (to the Applicant's best knowledge). As a means of complying with the duty of disclosure set forth in 37 C.F.R. §§1.56, 1.97, and 1.98, the following information may be material to the examination of the referenced application. Pursuant to 37 C.F.R. Section 1.97(g), this Information Disclosure Statement should not be construed as a representation that a search has been made. Additionally, pursuant to 37 C.F.R. §1.97(h) the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is or is considered to be material to patentability as defined in 37 C.F.R. 1.56(b). A copy of each item listed under Foreign References and Other Documents is enclosed.

Dated this 18 day of October, 2006.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

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Express Mail No. EV 832910027 US

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| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT | APPLICATION NO: | 10/539,308 |
| | FILING DATE: | June 16, 2005 |
| | FIRST NAMED | Lars Winther |
| | ART UNIT: | 1743 |
| | EXAMINER NAME: | Jyoti Nagpaul |
| | DOCKET NO: | P145-US-01 |

I. US PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. & KIND CODE (if known) | PATENTEE OR APPLICANT | PUBLICATION/ISSUE DATE mm/dd/yyyy | Pages, Columns, Lines Where Relevant Passages Or Relevant Drawings Appear |
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II. FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | Foreign Patent Document Country Code, Number, Kind Code (if known) | PATENTEE OR APPLICANT NAME | PUB'N DATE mm- dd-yyyy | TRANSLATION | |
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| | United States District Court, District of Massachusetts, Vision Biosystems (USA) Trading v. Ventana Medical Systems, CIV 03CV10391GAO, Plaintiff's motion for Summary Judgment of Non-Infringement Based on Collateral Estoppel filed October 7, 2005 |
| | United States District Court, District of Massachusetts, Vision Biosystems (USA) Trading v. Ventana Medical Systems, CIV 03CV10391GAO, Plaintiff's Statement of Undisputed Facts in Support of its Motion for Summary Judgment of Non-Infringement Based on Collateral Estoppel, filed October 7, 2005 |
| | United States District Court, Eastern District of Massachusetts, Vision Biosystems (USA) Trading v. Ventana Medical Systems, CIV 03CV10391GAO, Defendant's Memorandum in Opposition to Plaintiff's Motion for Summary Judgment of No Infringement, and in Support of Defendant's Cross-Motion for Summary Judgment of Infringement of the 861 Patent, filed January 15, 2004 |
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| | US Patent Application Number 10/054,535, Entitled Automated Biological Reaction Apparatus, now Patent number 6,943,029 , the entire wrapper |
| EXAMINER: | DATE CONSIDERED |
| EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. | |



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Application Number: 10/539,308
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Benno Guggenheimer
Title: Apparatus for Automated Processing Biological Samples

TC/A.U: 1743
Examiner: Jyoti Nagpaul
Assignee: Dako Denmark A/S
Attorney Docket: P145 US 01
Customer No. 33549


CERTIFICATE OF EXPRESS MAILING

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Submission of Information Disclosure Statement pursuant to 37 CFR 1.97 (b)(3); Information Disclosure Statement Pursuant to 37 CFR §1.97(b)(3) and copies of foreign references and other documents cited; Letter of Transmittal; and return post card with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 18 day of October, 2006.


Cheryl A. Swanson



Express Mail No.: EV 832910027 US

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Application Number: 10/539,308
Filed: June 16, 2005
Applicants: Lars Winther, Marc Key, Kristopher Buchanan, John Favuzzi, and
Benno Guggenheimer
Title: Apparatus for Automated Processing Biological Samples

TC/A.U: 1743
Examiner: Jyoti Nagpaul
Assignee: Dako Denmark A/S
Attorney Docket: P145 US 01
Customer No. 33549

LETTER OF TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed with this correspondence are the following documents:

1. Submission of Information Disclosure Statement pursuant to 37 CFR 1.97 (b)(3);
2. Information Disclosure Statement pursuant to 37 CFR §1.97(b)(3) and copies of foreign references and other documents cited;
3. This Letter of Transmittal; and
4. A Certificate of Express Mailing for each document and a return receipt post card.

I have this 18 day of October, 2006, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Please confirm receipt of the documents by applying your date stamp on the enclosed postcard and returning it to me.

Dated this 18 day of October, 2006.

Respectfully Submitted,
SANTANGELO LAW OFFICES, P.C.

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